

MISC. CIVIL APPLICATION NO. 2129 OF 1992.

Date of decision: 18.12.1995.

For approval and signature

The Honourable Mr. Justice S. M. Soni

and

The Honourable Mr. Justice R. R. Jain

Mr. A.D. Oza, advocate for petitioner.

Mr. H.V. Pujara, advocate for respondent Nos.1 and 2.

Mr. T.H. Sompura, A.G.P. for respondent No.3.

1. Whether Reporters of Local Papers may be allowed to see the judgment?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of judgment?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 or any order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

Coram: S.M. Soni & R.R. Jain, JJ.

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December 18, 1995.

Oral judgment (Per Soni, J.)

One Mr. Dinesh Shah, Legal Officer of respondent No.3, is present before Court. He states before the Court that the petitioner is appointed with retrospective effect from 17.8.1992 by order dated 9.12.1994. Bill for difference of pay was sent and was received by them on 16.12.1995 and they have accordingly sent cheque to the

bank to be credited in the account of the petitioner. Necessary papers are also shown to the petitioner's advocate and he is convinced with the same. In view of the fact that as per say of college authority, the salary due is paid off, it can be said that the contempt stands purged. For delay, there is proper explanation vide forwarding letter. A xerox copy of the same is taken on record. As the contempt stands purged and the delay for compliance is explained, the proceedings are required to be dropped.

In the result, the proceedings are dropped. Rule discharged. No costs.